

**REGULAR MEETING
FEBRUARY 1, 2007**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, February 1, 2007, at the hour of 7:00 PM. Those present were Commissioners: Larry Brown, Kevin Gunderson, Paula Hogsten, Cheryl Spriggs and Mayor Stephen E. Gilmore, who presided. Also present were: Randy Robertson, City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; David Sloan, Fire Chief; Robert W. Ratliff, Acting Chief of Police; Greg Rice, Director of Planning and Community Development; Steve Corbitt, Director of Public Services; Tony Grubb, Finance Director; Chris Pullem, Economic Development Director; Marion Russell, Deputy Director of Public Services; Michelle Veach, Assistant Finance Director; and Reporters.

The invocation was given by Commissioner Brown.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Robertson presented the agenda of February 1, 2007. Motion was made by Brown, seconded by Gunderson, to amend the agenda by removing New Business, Item (i) An Ordinance of the City of Ashland, Kentucky, amending Section 2 of Ordinance No. 84, Series of 2006, which is commonly known and referred to as the "Budget Ordinance" of the City of Ashland and then to receive & file the agenda. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

HEARINGS AND REPORTS

City Manager's Report – City Manager Robertson reported the City had received an audit report from HUD on the 2005 Consolidation Plan which showed tremendous gains on housing projects and actions to reduce homelessness. Mayor Gilmore commended Planning and Community Development Director Rice and staff for their work with Main Street.

Mayor and City Commissioners' Comments - Commissioner Hogsten reported her attendance at the Monday meeting on homelessness and her surprise at the number of children categorized as homeless. She also stated she had attended the ceremony conducted by Public Services where several employees were recognized for perfect attendance and safety awards.

Commissioner Brown congratulated staff on the success of the Health Fair. He recognized the attendance of Hatcher students in regards to Random Acts of Kindness Week.

Commissioner Gunderson reported he had received information on a state grant for recycling projects that he will distribute to the Commission and staff.

Commissioner Spriggs acknowledged the presence of the Hatcher students. She reported on her attendance along with Commissioner Hogsten at the Kentucky League of Cities training for newly elected officials. She expressed that she was impressed by City staff's involvement with resolving homelessness.

MOTION

Motion was made by Hogsten, seconded by Brown, for Department Heads to make verbal and written reports regarding activities at each Commission meeting. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

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HEARINGS AND REPORTS CONTINUED

Mayor Gilmore recognized David Greene, Principal, and Kevin Smith, Counselor, of Hatcher Elementary School and students. Alijah Datcher read the proclamation declaring the week of February 12 - 16 as "Random Acts of Kindness Week." The students were presented City of Ashland pins by Mayor Gilmore.

PROCLAMATION BY
STEPHEN E. GILMORE, MAYOR
CITY OF ASHLAND, KENTUCKY

WHEREAS, the daily acts of Kindness of most of the citizens of Ashland often go unrecognized, and

WHEREAS, by recognizing these daily acts of Kindness during this week, all citizens of Ashland will become more aware of the importance of being kind to others throughout the year, and

WHEREAS, by recognizing these acts of Kindness during this week, everyone will be encouraged to participate in making the city a kinder, safer and better place to live, and

WHEREAS, this week is being observed in many cities and towns across this nation, and

WHEREAS, people around the world are observing WORLD KINDNESS DAY on November 13th, 2006;

NOW, THEREFORE, I, Stephen E. Gilmore, Mayor of Ashland, Kentucky, do hereby proclaim the week of February 12 – 16, 2007 as

“RANDOM ACTS OF KINDNESS WEEK”

in the City of Ashland. I encourage everyone to participate in spreading Kindness and practicing respect, generosity, patience, and consideration of others at all times in order to create a better, kinder, safer and more peaceful city.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Ashland, Kentucky to be affixed this 1st day of February, 2007.

/s/STEPHEN E. GILMORE, MAYOR

ATTEST:

/s/DEBORAH D. MUSSER, CITY CLERK

Director of Public Services Corbitt briefed the Commission on the riverfront development project. Currently the archeological and geotechnic studies are being done. Application for a permit required to complete work under the bridge has been submitted. A work session will be scheduled once the final design work is completed for consideration and approval.

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PUBLIC PARTICIPATION

Danny Craig, Executive Director of Main Street, expressed the board's appreciation for the cooperation and coordination of the City's Economic Development Director and Planning and Community Development Director and staff. He reported on plans for façade restoration projects in the downtown district.

Nancy Smith, Executive Director, Highlands Museum and Discovery Center, gave an invitation to Black History month activities. She also announced the museum had received a Lincoln grant for Lincoln bicentennial activities.

Bob Pinard, 3001 Bath Avenue, expressed his and his family's appreciation for the e-mail received.

Richard Clifton, DayStar, 1000 Bath Avenue, requested an update on his previous request regarding traffic patterns around the TV station. Commissioner Brown requested review by the Ashland Police Department and staff with a report at the next meeting.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 4, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING STEPHEN E. GILMORE,
MAYOR, TO EXECUTE TASK ORDER #3 BETWEEN THE
CITY OF ASHLAND, KENTUCKY AND KZF DESIGN, INC.
REGARDING THE RIVERFRONT DEVELOPMENT PROJECT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute Task Order #3 between the City of Ashland, Kentucky and KZF Design, Inc. regarding the Riverfront Development Project. A copy of said Task Order is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	January 18, 2007
READOPTED BY THE BOARD OF COMMISSIONERS:	February 1, 2007
PUBLISHED:	

MOTION

Motion was made by Gunderson, seconded by Spriggs, to adopt Ordinance No. 4, 2007, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 1, 2007
ORDINANCE NO. 5, 2007

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 5, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING STEPHEN E. GILMORE,
MAYOR, TO EXECUTE TASK ORDER #4 BETWEEN THE
CITY OF ASHLAND, KENTUCKY AND STRAND
ASSOCIATES, INC. REGARDING THE STORM SEWER
OUTFALL MAPPING AND ILLICIT DISCHARGE
DETECTION.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby
authorized and directed to execute Task Order #4 between the City of Ashland, Kentucky
and Strand Associates, Inc. regarding the Storm Sewer Outfall Mapping and Illicit
Discharge Detection. A copy of said Task Order is attached hereto and made a part
hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith,
to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and
after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be
in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	January 18, 2007
READOPTED BY THE BOARD OF COMMISSIONERS:	February 1, 2007
PUBLISHED:	

MOTION

Motion was made by Gunderson, seconded by Spriggs, to adopt Ordinance No. 5, 2007,
at this its second reading. Upon roll call, voting aye were Commissioners Brown,
Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 3, 2007

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY,
ADOPTING, AUTHORIZING AND APPROVING THE
COURSE OF ACTION RECOMMENDED BY THE CITY
MANAGER ON THE ITEMS APPEARING ON THE CONSENT
AGENDA FOR THE REGULAR MEETING OF THE BOARD
OF CITY COMMISSIONERS OF **FEBRUARY 1, 2007**.

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING FEBRUARY 1, 2007
CONSENT AGENDA CONTINUED

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the "Consent Agenda" for the meeting of **February 1, 2007**. Attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 1, 2007

MOTION

Motion was made by Brown, seconded by Spriggs, to adopt Resolution No. 3, 2007.

DISCUSSION

There was discussion about expenditure of matching funds and the fact there were no plans for use of the renovated space. Some concern about not moving forward was raised since the depot will be an intricate part of the riverfront development. The Commission was advised the City will forfeit the \$240,000 on Tuesday if the bid is not awarded.

MOTION TO REMOVE ITEM (d)

Motion was made by Hogsten, seconded by Spriggs, to remove Item (d) Approval to award the bid for the restoration/renovations to the 2nd floor of the Historic Freight Depot to Midwest Maintenance, Inc. for their total bid of \$240,360.00. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay – none. Motion passed.

VOTE ON MOTION TO ADOPT

Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay – none. Motion passed.

NEW BUSINESS
FIRST READING

ORDINANCE NO. _____, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND MIDWEST MAINTENANCE, INC. FOR THE RESTORATION/RENOVATION OF THE SECOND FLOOR OF THE HISTORIC FREIGHT DEPOT FOR THE DEPARTMENT OF PUBLIC SERVICES.

MOTION

Ordinance died for lack of a motion.

REGULAR MEETING FEBRUARY 1, 2007

ORDINANCE NO. __, 2007

FIRST READING & ADOPTION ONLY

ORDINANCE NO. __, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH BRENNTAG MID-SOUTH, INC. FOR THE PURCHASE OF SULFUR DIOXIDE, SODIUM HYPOCHLORITE, POTASSIUM PERMANGANATE AND POWDERED ACTIVATED CARBON AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WATER PRODUCTION AND WASTEWATER TREATMENT.

MOTION

Motion was made by Hogsten, seconded by Spriggs, to adopt Ordinance No. __, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. __, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH CHEMICAL RESOURCES FOR THE PURCHASE OF HYDROFLUOSILICIC ACID AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WASTEWATER TREATMENT AND WATER PRODUCTION.

MOTION

Motion was made by Gunderson, seconded by Spriggs, to adopt Ordinance No. __, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. __, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH C. I. THORNBURG CO., INC. FOR THE PURCHASE OF LIQUID CHLORINE OR SAND AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WASTEWATER TREATMENT AND WATER PRODUCTION.

REGULAR MEETING FEBRUARY 1, 2007
ORDINANCE NO. __, 2007 CONTINUED

MOTION

Motion was made by Brown, seconded by Hogsten, to adopt Ordinance No. ____, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH K. A. STEEL FOR THE PURCHASE OF LIQUID CAUSTIC SODA AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WASTEWATER TREATMENT AND WATER PRODUCTION.

MOTION

Motion was made by Gunderson, seconded by Spriggs, to adopt Ordinance No. ____, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND MORTON SALT FOR THE PURCHASE OF SALT FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WATER PRODUCTION AND WASTEWATER TREATMENT.

MOTION

Motion was made by Brown, seconded by Gunderson, to adopt Ordinance No. ____, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN ANNUAL LETTER OF COMMITMENT FOR THE RENAISSANCE ON MAIN/MAIN STREET PROGRAM.

MOTION

Motion was made by Brown, seconded by Hogsten, to adopt Ordinance No. ____, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

REGULAR MEETING FEBRUARY 1, 2007
ORDINANCE NO. ____, 2007

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2007

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED ALONG THE U.S. 23 CONNECTOR NEAR 35TH STREET AND U.S. 23 (WINCHESTER AVENUE) FROM I-2 HEAVY INDUSTRIAL TO B-2 GENERAL BUSINESS.

MOTION

Motion was made by Hogsten, seconded by Brown, to adopt Ordinance No. ____, 2007, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

APPOINTMENTS

Motion was made by Gunderson, seconded by Spriggs, to concur with the Mayor's appointment of the following:

Matt Perkins, Board of Zoning Adjustment, to fill unexpired term of Candy Keeton and a new term from 2/28/2007 thru 2/28/2011

Judy Gearhart, Ashland Park Board, 10/18/2006 thru 10/18/2010

Norma Meek, Ashland Park Board, 10/18/2006 thru 10/18/2010

Linda Adkins, Commission on Human Rights, 1/1/2007 thru 12/31/2009

Larry Branham, Commission on Human Rights, 1/1/2007 thru 12/31/2009

Moya Brooks, Commission on Human Rights, 1/1/2007 thru 12/31/2009

Upon roll call, voting aye were Commissioners Brown, Gunderson, Hogsten, Spriggs and Mayor Gilmore. Nay - none. Motion passed.

RECESS

Mayor Gilmore declared the meeting recessed at 7:56 PM until February 6, 2007 at 8:45 AM in the Conference Room.

STEPHEN E. GILMORE
MAYOR

ATTEST:

DEBORAH MUSSER
CITY CLERK